



PATENT APPLICATION  
Docket No.: PATH03-14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Breton, Gary L.

Application No.: 10/603,108 Group Art Unit: 1631

Filed: June 24, 2003 Examiner: Zhou, Shubo

For: NUCLEIC ACID AND AMINO ACID SEQUENCES RELATING TO *M. CATARRHALIS* FOR DIAGNOSTICS AND THERAPEUTICS

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on 6/9/2006 Jennifer Menard  
Date Signature

Jennifer Menard  
Typed or printed name of person signing certificate

**REPLY TO RESTRICTION REQUIREMENT  
AND PRELIMINARY AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Restriction Requirement dated December 9, 2005 the claims of Group I (Claims 1-10) drawn to polynucleotides and a vector, and a host cell containing the same are elected for prosecution. Applicant reserves the right to file a continuing application or take such other appropriate action as deemed necessary to protect the inventions of Group II (Claim 17), Group III (Claims 11-13), Group IV (Claims 18-20), Group V (Claims 14-16), Group VI (Claims 21-23), Group VII (Claim 24) and Group VIII (Claims 25-28). Applicant does not hereby abandon or waive any rights in Groups II, III, IV, V, VI, VII and VIII.

Responsive to the requirement for election of species for searching purposes, Applicant hereby further elects the isolated nucleic acid SEQ ID NO:1298 encoding the polypeptide SEQ ID NO:3218 as the species.

A five (5) month extension of time to respond to the Restriction Requirement is respectfully requested. A Petition for a five (5) month extension of time and the appropriate fee are being filed concurrently.

Amendments to the claims are reflected in the listing of claims which begin on page 3 of this paper.

Remarks begin on page 7 of this paper.